EDMUND G. BROWN JR. Attorney General



FAX TRANSMISSION COVER SHEET

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| DATE: <u>1/1</u> | 2/2010 | _ TIME: | | NO. OF PAGES: (Including cover sheet) | |
|----------------------|--------------------|---------|----------------|---------------------------------------|-------------|
| TO: | | | | | |
| NAME: | Katy Miller | | | | |
| OFFICE: | SFDA | | | | |
| LOCATION: | | | | | |
| FAX NO: | 415-553-9700 | | PHONE NO: | | |
| FROM: NAME: | Nichole Develey | | | | |
| OFFICE: | Records Security S | ection | | | |
| LOCATION: FAX NO: | 916-227-0696 | | PHONE NO: | 916-227-2720 | |
| | | | | 7-7 | |
| | | MESSAG | E/INSTRUCTIONS | | |

If you have any additional questions, please give me a call.

Thank you,

Nichole Develey

P.002

BUREAU OF CRIMINAL INFORMATION AND ANALYSIS

P.O. BOX 903387 SACRAMENTO, CA 94203-3870

Facsimile: (916) 227-4815 Telephone: 916) 227-4251

January 26, 2009

Ms. Ronda Jackson
San Francisco District Attorney's Office
Reentry Unit
850 Bryant Street, Rm 322
San Francisco, CA 94103

RE: Research Request Approval

Dear Ms. Jackson:

Your request to obtain criminal history information for research purposes pursuant to California Penal Code section 13202 has been approved. The San Francisco District Attorney's Office has been granted authorization to obtain criminal history records for the evaluation of the Back on Track Program.

It is imperative that the San Francisco District Attorney's Office complies with the "Conditions for Release of Criminal Offender Record Information" and all statutes, regulations, and policies affecting the handling and dissemination of criminal history information as indicated in your proposal. This information can only be used for statistical purposes and personal identifiers must not be used in any reports or provided to a third party. For your information, it is imperative that you enter the following information into the "ROUTE TO" field when accessing data from the automated criminal history system via CLETS.

Following completion of the research project, please notify us in writing when you have destroyed the summary criminal history information provided. Also, when data derived from summary criminal history is used or referred to in any printed publication, a copy of that publication must be furnished to the Bureau of Criminal Information and Analysis.

If you have any questions regarding this letter, please contact me at (916) 227-4251.

Sincerely,

SANDHU, Manager

Record Security Section

Bureau of Criminal Information and Analysis

For

EDMUND G. BROWN Jr.

Attorney General

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| 1/12/2007 | 3/21/2007 Terminated Before Completion | 1 |
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| 1/19/2007 | 8/19/2008 Inactive, Completed 10 | |
| 1/28/2007 | 5/31/2007 Terminated Before Completion | |
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| 3/5/2007 | 9/16/2008 Inactive, Completed 1 | |
| 3/12/2007 | 4/3/2007 Withdrawal Before Completion | |
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| 3/28/2007 | 4/17/2007 Withdrawal Before Completion | 4 |
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| 3/28/2007 | 4/16/2008 Terminated Before Completion | - } |
| 4/2/2007 | 7/5/2007 Withdrawal Before Completion | 1 |
| 4/2/2007 | 4/29/2008 Terminated Before Completion | |
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| 4/4/2007 | 5/31/2007 Withdrawal Before Completion | 4 |
| | 9/16/2008 Inactive, Completed 12 | 4 |
| 4/6/2007 | 6/1/2007 Withdrawal Before Completion | 2 |
| 4/9/2007 | 6/9/2007 Withdrawal Before Completion | |
| 4/9/2007 | 8/20/2007 Terminated Before Completion | |
| 4/9/2007 | 8/12/2008 Inactive, Completed 13 | 2 |
| 4/11/2007 | 4/22/2008 Terminated Before Completion | 7 |
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| 4/13/2007 | 9/16/2008 Inactive, Completed 14 | 2 |
| 4/13/2007 | Active 5 | 2 |
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| 5/4/2007 | 9/25/2007 Withdrawal Bafara Commission | 4 |
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| | 9/11/2007 Withdrawal Before Completion | 2 |
| 5/8/2007 | 8/30/2007 Withdrawal Before Completion | 2 |
| 5/8/2007 | 9/16/2008 Inactive, Completed 15 | |
| 5/15/2007 | 6/28/2007 Withdrawal Before Completion | 2 |
| 5/16/2007 | 7/2/2007 Terminated Before Completion | 2 |
| 5/16/2007 | 6/21/2008 Terminated Before Completion | 2 |
| 5/16/2007 | 8/19/2008 Inactive, Completed 1 | 2 |
| 5/17/2007 | 9/16/2008 Inactive, Completed 11 | 2 |
| 5/21/2007 | 6/25/2007 Terminated Before Completion | 2 |
| 5/23/2007 1 | 10/16/2007 Terminated Before Completion | 2 |
| 5/31/2007 | 9/16/2008 Inactive, Completed 78 | 2 |
| 6/5/2007 | 8/14/2007 Terminated Before Completion | 2: |
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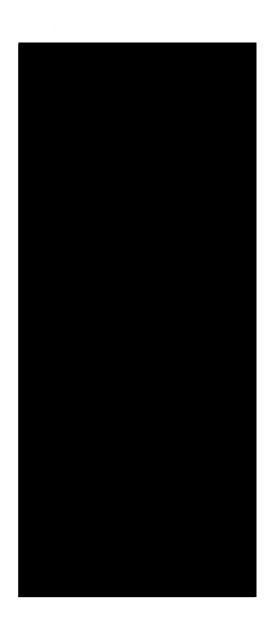
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| 6/11/2007 12/18/2008 Inactive, Completed 15 | |
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| 4/10/2008 | | 8 Terminated Before Completion | |
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| 4/22/2008 | | 8 Terminated Before Completion | |
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| 5/8/2008 | | 8 Terminated Before Completion | |
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| 6/10/2008 | 7/21/200 | 8 Withdrawal Before Completion | |
| 6/10/2008 | | Active 36 | 4 |
| 6/11/2008 | 7/15/2008 | Withdrawal Before Completion | 4 |
| 6/11/2008 | | Active ? | - |
| 6/16/2008 | | Active 31 | 4 |
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| Start Date | Enddate Status |
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| 1/12/2003 | Others |
| 1/23/2003 | 9/15/2004 Inactive, Completed |
| 1/30/2003 | 7/23/2004 Inactive, Completed |
| 2/18/2003 | 6/2/2004 Inactive, Completed |
| 4/3/2003 | 6/23/2004 Inactive, Completed |
| 4/9/2003 | 11/4/2004 Inactive, Completed |
| 4/13/2003 | 8/4/2004 Inactive, Completed |
| 4/17/2003 | 5/12/2004 Inactive, Completed |
| 5/7/2003 | 7/14/2004 Inactive, Completed |
| 5/7/2003 | 7/21/2004 Inactive, Completed |
| 5/22/2003 | 7/21/2005 Inactive, Completed |
| 5/27/2003 | 6/18/2004 Inactive, Completed |
| 5/29/2003 | 1/23/2006 Inactive, Completed |
| 5/30/2003 | 8/11/2004 Inactive, Completed |
| 6/23/2003 | 9/1/2004 Inactive, Completed |
| 6/25/2003 | 6/18/2004 Inactive, Completed |
| 6/26/2003 | 6/25/2004 Inactive, Completed |
| 6/30/2003 | 6/23/2004 Inactive, Completed 1/12/2005 Inactive, Completed |
| 7/1/2003 | 4/11/2006 Inactive, Completed |
| 7/2/2003 | 9/27/2004 Inactive, Completed |
| 7/10/2003 | 2/7/2005 Inactive, Completed |
| 8/5/2003 | 7/28/2004 Inactive, Completed |
| 8/25/2003 | 7/19/2004 Inactive, Completed |
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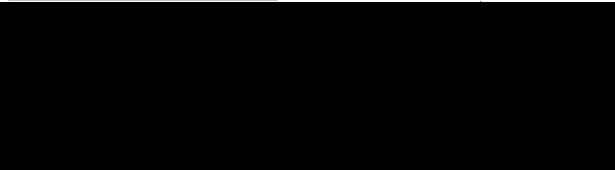
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July 30, 2007

Benjamin Todd Jealous President Rosenberg Foundation 131 Steuart Street, Suite 650 San Francisco, CA 94105

Re: RAND Evaluation of Back on Track

Dear Mr. Jealous:

It is my pleasure to submit this request to the Rosenberg Foundation for \$110,000 to support the RAND Corporation's evaluation of the *Back on Track* program. Support for a formalized evaluation of the *Back on Track* program from a reputable firm specializing in criminal justice will have a tremendous impact on District Attorney Kamala D. Harris's ability to increase the effectiveness of her advocacy around reentry.

In 2004, DA Harris created *Back on Track* to reduce recidivism and increase public safety. *Back on Track* has an early track record of significant success. The program couples strict accountability through the court system with high impact employment, education and support services. By the time most participants graduate from the program, they have obtained their GED or other educational credential, completed employability skills training, developed professional networks needed to continue growing in the labor market, and landed a job with career advancement potential. Most participants enroll in community college and some have gone on to four year colleges and universities. Non-custodial parents are in good standing with all child support orders and have increased their involvement in the lives of their children.

Through resources and support, *Back on Track* graduates develop the self determination needed to stabilize their lives and make healthy choices that keep them from reentering the criminal justice system.

- Initial results show that *Back on Track* graduates recidivate less than 10% of the time over a two year period which is remarkable in comparison to the statewide rate of 70%.
- With annual County Jail costs exceeding \$35,000 per inmate, every dollar invested in *Back on Track* saves the City five dollars in jail costs alone.
- 100% of young people in the program gain employability skills, greater access to professional networks and complete educational programs.

As *Back on Track* graduates stay out of the criminal justice system, jail and prison overcrowding is reduced, tax payer's benefit, individuals become stronger and more responsible citizens; and communities become safer.

These are the messages that District Attorney Harris, a veteran prosecutor of almost 20 years, wants to share with law enforcement colleagues, labor leaders and private sector partners locally and around the country. It is from this platform of success and societal benefit that District Attorney Harris wants to advocate for thoughtful progressive prison and reentry reform.

DA Harris is well-positioned to bring thought leadership and advocacy on prison and reentry reform to national attention. She progressed quickly through law enforcement ranks, from Deputy District Attorney in Alameda County to Managing Attorney of the Career Criminal Division of the Office of the San Francisco District Attorney, to Chief of the Children and Families Division of the City Attorney's Office to elected District Attorney of the City and County of San Francisco. DA Harris has tremendous insight into the fundamentals of prosecution and the ways in which public safety leaders need to approach reform in order to implement effective, long term approaches to prevention and crime reduction. She speaks the language of law enforcement and corrections and is a sought after speaker and partner by traditionally moderate and conservative organizations.

She has been elected to the Board of Director and is a Vice President of the National District Attorney's Association and was appointed to Co-Chair its Corrections and Reentry Committee. DA Harris is also a Board Member of the California District Attorney's Association and is Chair of its Reentry Committee and Co-Chair of the Sexual Assault Committee. DA Harris, by virtue of her professional success and affiliations, progressive policies and her current role as District Attorney of San Francisco is uniquely positioned to build an important bridge that transcends conservative and liberal viewpoints on incarceration, prison reform and reentry, guided by the efficacy of "smart on crime" policies and programs.

DA Harris has had success turning her opinions about needed reforms into new laws at a level rarely seen among local prosecutors. In May 2007, she was invited to testify before the U.S. House of Representatives Judiciary Committee on criminal justice issues. Since taking office in January 2004, she has successfully championed four local ordinances and ballot measures and seven new State laws, including the California Trafficking Victims Protection Act, new penalties for child sexual exploitation, civil rights protections from employment and housing discrimination for victims of domestic violence, annuity fraud protection for seniors, benefits and services for immigrant survivors of domestic violence and human trafficking, reforms in the treatment of mentally disordered offenders, and legislation barring gender identity and sexual orientation bias at trial. She has also been a statewide leader on ballot measures involving reproductive freedom and early childhood education. She is sponsored three successful local gun control measures and is the speaker of six bills making their way through the State legislature, including funding for reentry programs.

The success of *Back on Track*, DA Harris's flagship reentry program has opened the door for continued positive attention on progressive reentry efforts and support for additional programs. In 2007, DA Harris plans to expand Back on Track. She will also create and open the State's first locally run prisoner Reentry Center that will bring prison inmates back to San Francisco to finish out the last twelve months of their sentence in an intensive rehabilitative and reentry program based in our county jail.

DA Harris is ready to build on the policy and programmatic progress she has helped to make to gain support for progressive programs in criminal justice and reentry. She regularly talks about the benefits and baseline successes of the *Back on Track* program within her ever-expanding

speaking circuit. Her work can also help the State determine what strategies are most effective for prison and parole reform. She can help build consensus from the private sector, labor and local officials around issues such as reducing statutory barriers to employment, and providing hiring incentives for state and local contractors who employ former offenders. Her efforts can help direct state allocations to fund reentry models.

With a recent emergence of interest from regional law enforcement leaders, the office is particularly poised with a time sensitive opportunity to increase our education and advocacy efforts on reentry issues and corrections reform efforts.

For this movement-building to be successful, DA Harris' efforts are dependent on a successful evaluation of her flagship model, *Back on Track*. The success of the *Back on Track* program and progressive reentry policy needs to be accurately captured, rigorously documented, and conveyed.

DA Harris is committed to raising critical thought around the societal and cost benefit advantages to programs like *Back on Track* and must make sure she has both empirical and evidence based research to support the arguments that she is making. I hope you will consider funding the RAND Corporation for the purpose of conducting a *Back on Track* qualitative and quantitative evaluation that will result in the creation of a publicly available and peer reviewed project report.

Upon completion of the report, DA Harris will commence a *Back on Track* speaking circuit that highlights the research driven success of the program and will disseminate the findings to a wide range of interested parties including members of the National District Attorney's Association, California District Attorney's Association, California State Sheriff's Association, International Association of Chiefs of Police, San Francisco Chamber of Commerce and the chambers of other major California cities, California Attorneys for Criminal Justice and California Public Defender's Association and to leaders in organized labor and the building trades.

Rosenberg's investment of \$110,000 towards a *Back on Track* evaluation will enable DA Harris to strengthen her advocacy efforts regarding progressive criminal justice and reentry reform, and this can have a substantial impact on the way law enforcement, labor, building trades and private sector leaders perceive and understand what are best practices and key strategies for reducing recidivism and increasing public safety.

Sincerely,

TIMOTHY SILARD
Assistant District Attorney,
Chief of Policy
Office of the District Attorney
City and County of San Francisco



KAMALA D. HARRIS DISTRICT ATTORNEY

BACK ON TRACK

Neighborhood Safety · Employment · Accountability

ELIGIBILITY

Back On Track candidates may be eligible to participate in the program based on, but not limited to, the following criteria:

- Age 18-30 years. Priority will be given to applicants who are parents of minor children.
- Residents of San Francisco, San Mateo, Alameda or Contra Costa Counties.
- Charged with a sale or possession for sale offense including Health and Safety Code sections 11351, 11351.5, 11352, 11359, 11378, 11378.5, or 11379.
- Involves less than 5 grams of controlled substance (or less than one ounce of marijuana).
- Current offense does not involve a firearm.
- No prior convictions for firearms.
- No active membership in an organized street gang.
- No sales or possession for sale at or near a school (H&S 11353.6).
- No prior violent history.
- No prior felony conviction in any jurisdiction.
- No participant shall be allowed in the program with more than two open felony cases.
- A Deferred Entry of Judgment is required for sales offenses. For any offense charged, all defendants, must complete a 6 week probationary program before being accepted into Back on Track.
- Admission rests solely within the discretion of the District Attorneys' Office.

ENROLLMENT PROCESS

- A determination of eligibility will be made at the time of charging.
- At arraignment, defendants will be advised of Back on Track eligibility.
- When a defendant accepts the terms of participation for Back on Track, the defendant is referred to Goodwill Industries to participate in an initial, six-week probationary period with a return date in the referring department for the Deferred Entry of Judgment ("DEJ"), or for formal acceptance into the program in non-DEJ cases.
- After successful participation in the probationary period, the defendant pleads guilty and enters a DEJ (for sales cases) and is formally admitted to the Back on Track program. Sentencing is deferred for 12 to 18 months.
- Defendants are required to appear in Back on Track Court every two weeks for progress reports.
- After at least twelve continuous months of successful participation in the Back on Track program, the defendant may graduate from the program. At graduation, the defendant's case will be dismissed and the record sealed.

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE DISTRICT ATTORNEY

DEFENDANT BENEFITS

- Job training and placement assistance.
- Intensive case management and support.
- Access to Goodwill Industries' paid *Transitional Jobs Program*.
- Educational opportunities, including G.E.D. classes and assistance with applications and financial aid at San Francisco City College and other programs.
- Interactive monthly life skills workshops.
- Upon successful completion of the program, the defendant's case will be dismissed pursuant to PC Section 1203.4.
- Graduates can have their arrest records sealed under Penal Code Section 851.90.